



January 7, 2025

Hon. Pamela K. Chen
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Courtroom 4F North
Brooklyn, NY 11201-1804

**Re: IME WatchDog, Inc. v. Gelardi, et al.
Case No.: 1:22-cv-1032 (PKC) (JRC) MLLG File No.: 25-2022**

Dear Judge Chen:

I am following up on the last letter that I sent to your honor on May 8, 2024. As you will recall, I am the forensic expert at Berkeley Research Group, LLC (“BRG”) that was appointed by the Court as the neutral forensic examiner in the above-captioned matter. As per our engagement, we imaged several devices that were in the possession of the Defendants and provided analysis, submitted several status reports to the Court, and produced several logs and certain documents as set forth by the “Consent Order for Forensic Examination of Defendants’ Records and Electronic Accounts” which was agreed to by the parties in this case and so ordered by this Court on June 22, 2022.

I had previously informed the Court about the unpaid invoices in this matter. Plaintiff IME Watchdog, Inc. has fully paid the amount that they owed to BRG for the services that we provided in this case. Unfortunately, Defendants in the above captioned matter, still owe BRG **\$32,216.47**.

I wanted to raise this issue with the Court again, since I know that the litigation is still pending and that there have been requests for attorney’s fees and motions related to the failure to pay attorneys’ fees. If you would like BRG to make a formal filing with the Court in connection with our unpaid fees as the neutral forensic examiner in this case, please let me know.

Since our last correspondence, we proposed a payment plan with the Defendants in this case. On August 9, 2024, we sent Safa Gelardi, Vito Gelardi and their counsel a proposed payment plan agreement, which would have had defendants make six monthly payments of \$5,452.75 starting on August 15, 2024. We were told by Ms. Gelardi that she was not able to comply with the terms of the proposed payment plan. Ms. Gelardi stated in an email to me on that same date (Aug. 9, 2024) that she would, however, pay \$500-\$600 per month toward the amount owed to BRG. She indicated that she would make larger payments when possible.

On August 26, 2024, BRG received a payment from Safa Gelardi for \$500. Even though we have sent numerous emails since then and Ms. Gelardi has indicated several times that she would continue making payments, BRG has received **no additional payments** since that one payment. In fact, Defendants have only made two payments since BRG issued its first invoice in this case back in August 2022. The first payment was made on December 30, 2022, and the second payment was the \$500 payment made on August 26, 2024.



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As you will remember, this Court issued an order on September 11, 2023, directing “...both parties to resolve their share of the outstanding bill by 9/25/23 and confirm such resolution by that date, or risk sanctions.” Defendants in this case did not resolve their share of the outstanding bill by September 25, 2023, or in the 15 subsequent months.

We would ask that the Court keep in mind the amount that is still owed to BRG when addressing the pending motions in this case.

Thank you,

A handwritten signature in black ink, appearing to read "Ignatius Grande".

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